

## REQUEST FOR COUNCIL ACTION

MEETING **34**  
DATE: 04-07-03

AGENDA SECTION: PUBLIC HEARINGS	ORIGINATING DEPT: PLANNING	ITEM NO. <b>E-14</b>
ITEM DESCRIPTION: Annexation Petition #03-06 by Charlyne Burks to annex approximately 25.61 acres of land located north of East Circle Drive and east of Northwood Hills 2 <sup>nd</sup> Subdivision. The property is located in a part of the East ½ of the NW ¼ of Section 19 of Haverhill Township.		PREPARED BY: Theresa Fogarty, Planner

April 1, 2003

### **City Planning and Zoning Commission Recommendation:**

The City Planning and Zoning Commission reviewed this annexation request on March 12, 2003. The Commission found that this property is adjacent to the City limits and can be served by city services upon extension of the water lines at the north end of Stonehedge Drive NE and sanitary sewer via a private lift station. The Planning Commission therefore recommends approval of this request.

**Ms. Petersson moved to recommend approval of Annexation Petition #03-06 by Charlyne Burks as recommended by staff. Mr. Haeussinger seconded the motion. The motion carried 7-1, with Mr. Staver voting nay.**

### **Planning Department Recommendation:**

See attached staff report, dated March 5, 2003.

Minnesota Statutes now specify that the property taxes payable in the year an annexation is effective shall be paid to the Township. For the five years following the annexation, the City must make a cash payment to the Township equaling 90%, 70%, 50%, 30% and 10% of the Townships share of the taxes in the year the property was annexed. The Township Taxes on this property for 2002 is \$10.07.

### **Council Action Needed:**

- 1. Following the public hearing, if the Council wishes to proceed as petitioned, it should instruct the City Attorney to prepare an ordinance to be adopted and transmitted to the MN Planning /Office of Strategic and Long Range Planning.**

### **Attachments**

1. Staff report, dated March 5, 2003.
2. Copy of the minutes of the March 12, 2003, CPZC meeting

### **Distribution:**

1. City Administrator
2. City Clerk
3. City Attorney: Legal Description Attached
4. City Finance Director: Tax Information Attached
5. Planning Department File
6. Applicant: This item will be considered sometime after 7:00 p.m. on Monday , April 7, 2003 in the Council Chambers at the Rochester / Olmsted County Government Center.
7. Yaggy Colby Associates

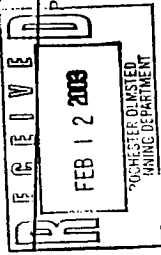
**COUNCIL ACTION:** Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_ to: \_\_\_\_\_

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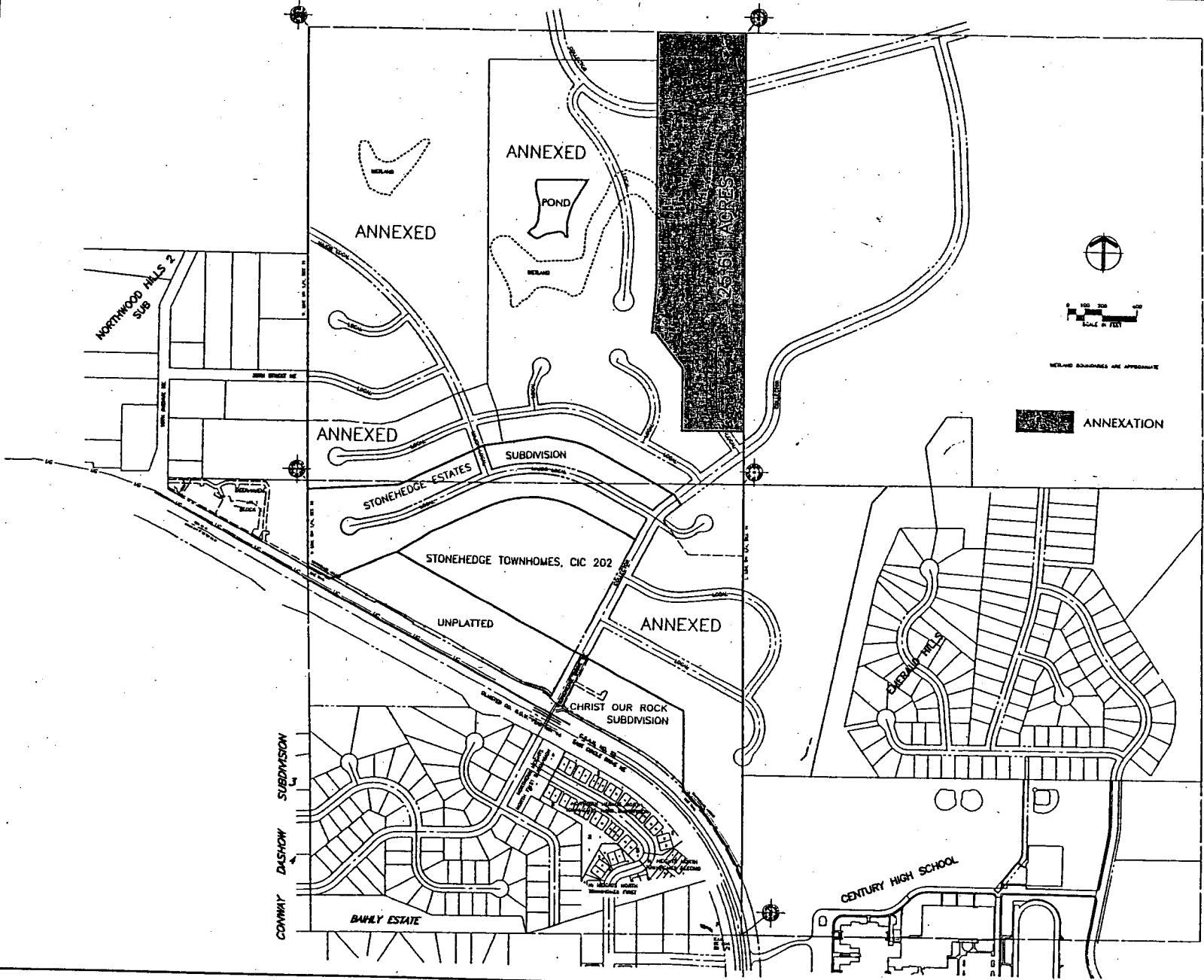


**YAGGY COLBY ASSOCIATES**  
 ARCHITECTS  
 PLANNERS  
 LANDSCAPE ARCHITECTS  
 211 POND AVENUE, SUITE 200  
 ROCHESTER, MINNESOTA 55901  
 PHONE: (507) 253-1111  
 FAX: (507) 253-1112  
 WWW.YAGGYCOLBY.COM

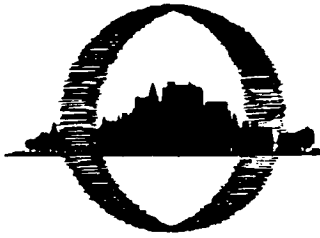
**STONEHEDGE ESTATES**  
 ROCHESTER, MINNESOTA  
**PROPOSED ANNEXATION**



Project	25116
Sheet	1 of 1
Date	6/1/12
Scale	AS SHOWN
Author	F.J.S. P.C.
Checker	P.C.
Printer	
Notes	



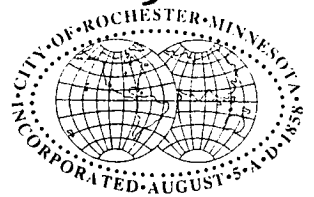
SCALE: 1" = 100'



## ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

COUNTY OF  
*Olmsted*



**TO:** City Planning and Zoning Commission

**FROM:** Theresa Fogarty, Planner

**DATE:** March 5, 2003

**RE:** Annexation Petition #03-06 by Charlyne Burks to annex approximately 25.61 acres of land located north of East Circle Drive and east of Northwood Hills 2<sup>nd</sup> Subdivision. The property is located in a part of the East ½ of the NW ¼ of Section 19 of Haverhill Township.

### Planning Department Review:

**Applicants/Owners:** Charlyne Burks  
683 West Lockwood Avenue  
Webster Groves, MO 63119

**Architect/Engineer :** Yaggy Colby Associates  
717 Third Avenue SE  
Rochester, MN 55904

**Location of Property:** The property is located north of East Circle Drive and east of Northwood Hills 2<sup>nd</sup> Subdivision.

**Existing Land Use:** This property is currently undeveloped land.

**Size:** The property proposed for annexation is approximately 25.61 acres.

**Existing Zoning:** The property is zoned A-3 (Agricultural) District on the Olmsted County zoning map.

**Future Zoning:** Upon annexation, the property will be zoned R-1 (Mixed Single Family) district on the Rochester zoning map.

**Land Use Plan:** The property is designated for "low density residential" uses on the Rochester Urban Service Area Land Use Plan.

**Adjacency to the Municipal Limits:** The property is adjacent to the city limits along its western, southern and eastern boundaries.



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**Sewer & Water:**

This area is within the Northeast High Level Water System Area, which is currently available at the north end of Stonehedge Drive NE.

Municipal water is available to serve this property. Gravity flow sanitary sewer is not currently available to serve this property. The property will initially be served with sanitary sewer via a private lift station. Serving the property with gravity sanitary sewer is dependent on the extension of public utilities from the north and west, as those adjacent parcel are developed.

**Townboard Review:**

Minnesota State Statutes requires that the Townboard members receive written notice, by certified mail, 30 days prior to the public hearing. The City Council will hold a public hearing on this item on Monday, April 7, 2003. The City Clerk has sent the certified 30 day notice.

**Referral Comments:**

1. Rochester Public Utilities – Water Division
2. Rochester Public Works Department
3. MN Department of Transportation
4. Rochester FireDepartment

**Report Attachments:**

1. Annexation Map / Location Map
2. Referral Comments ( 4 letters)

**Staff Recommendation:**

This property is adjacent to the City limits and can be served by city services upon extension of the water lines at the north end of Stonehedge Drive NE and sanitary sewer via a private lift station. The property may be served with gravity sanitary sewer, in the future, dependant on the extension of public utilities from the north and west, as those adjacent parcels are developed. The Planning staff recommends that the City proceed to adopt an ordinance annexing the property according to Minnesota Statutes 414.033, Subdivision 2(3).



*we pledge, we deliver*

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February 20, 2003

Rochester-Olmsted  
CONSOLIDATED PLANNING DEPARTMENT  
2122 Campus Drive SE  
Rochester, MN 55904-7996

REFERENCE: Annexation Petition #03-06 by Charlyne Burks to annex 25.61 acres of land located within the Stonehedge GDP.

Dear Ms. Garness:

Our review of the referenced petition is complete and our comments follow:

1. This area is within the Northeast High Level Water System Area, which is currently available at the north end of Stonehedge Drive NE.
2. We will work with the applicant's engineering firm to develop the necessary water system layout to serve this area.

Please contact us at 507-280-1600 if you have questions.

Very truly yours,

A handwritten signature in black ink that reads "Donn Richardson". The signature is fluid and cursive.

Donn Richardson  
Water

C: Doug Rovang, RPU  
Mike Engle, RPU  
Mark Baker, City Public Works  
Vance Swisher, Fire Prevention  
Yaggy Colby Associates

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# ROCHESTER

— Minnesota —

TO: Consolidated Planning Department  
2122 Campus Drive SE  
Rochester, MN 55904

DEPARTMENT OF PUBLIC  
WORKS  
201 4<sup>th</sup> Street SE Room 108  
Rochester, MN 55904-3740  
507-287-7800  
FAX – 507-281-6216

FROM: Mark E. Baker

Date: 2/27/03

The Department of Public Works has reviewed the requested application for Annexation #03-06 by Charlyne Burks for part of the proposed Stonehedge development. The following are Public Works comments on the proposal:

1. Municipal water is available to serve this property. Gravity flow sanitary sewer is not currently available to serve this property. The property is intended to initially be served with sanitary sewer via a private lift station. Serving the property with gravity sanitary sewer is dependant on the extension of public utilities from the north and west, as those adjacent parcels are developed. .



Minnesota Department of Transportation

Minnesota Department of Transportation - District 6

Mail Stop 060  
2900 48<sup>th</sup> Street N.W.  
Rochester, MN 55901-5848

Office Tel: 507-280-2913

Fax: 507-285-7355

E-mail: dale.maul@dot.state.mn.us

February 24, 2003

Jennifer Garness  
Rochester – Olmsted Planning Department  
2122 Campus Drive SE – Suite 100  
Rochester, MN 55904

RE: Amendment to General Development Plan #160 known as Stonehedge Estates (formally known as Palteau Estates).

Land Subdivision Permit (Preliminary Plat) #03-07 to be known as Stonehedge Estates Second Subdivision by Stonehedge Land Development LLC.

General Development Plan #205 by Arcon Development, Inc to be known as Hart Farms South.

Zoning District Amendment #03-08 by Arcon Development Inc. to zone approximately 18.62 acres R-2 and 6.73 acres B-5 upon the annexation to the City of Rochester.

Annexation Petition #03-07 by Merly Groteboer to annex approximately 59.99 acres of land located along the north side of 40<sup>th</sup> Street SW and along the west side of 18<sup>th</sup> Ave SW.

Amendment to General Development Plan #190 known as Harvestview and Harvestview Special District #02-07.

Annexation Petition #03-06 by Charlyne Burks to annex approximately 25.61 acres of land located north of East Circle Drive and east of Northwood hills 2<sup>nd</sup> Subdivision.

Zoning District Amendment #03-06 by Dallas Backhaus requesting to amend the zoning district for approximately 20.09 acres from R-1 to R-1X district.

Dear Ms. Garness:

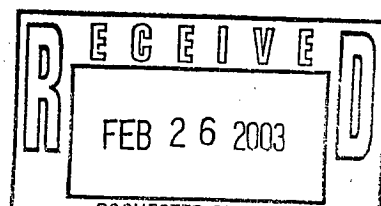
The Minnesota Department of Transportation (Mn/DOT) has reviewed the above proposals. These proposals will be sizeable traffic generators and Mn/DOT requests the City of Rochester to manage the traffic impacts for both City and State roadways.

Thank you for the opportunity to review these proposals and for keeping Mn/DOT informed. Questions may be directed to Fred Sandal, Principal Planner, at (507) 285-7369 or Debbie Persoon-Bement, Plan and Plat Coordinator, at (507) 281-7777.

Sincerely,

A handwritten signature in cursive script, reading "Dale E. Maul".

Dale E. Maul  
Planning Director



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*The hand to reach for...*  
**DAVID A. KAPLER**  
Fire Chief

DATE: February 24, 2003  
TO: Jennifer Garness, Planning  
FROM: R. Vance Swisher – Fire Protection Specialist  
SUBJECT: Annexation Petition #03-06 by Charlyne Burks

With regard to the above noted annexation petition plan, the fire department has the following requirements with regard to future development on this site:

1. An adequate water supply shall be provided for fire protection including hydrants properly located and installed in accordance with the specifications of the Water Division. Hydrants shall be in place prior to commencing building construction.
2. Streets and roadways shall be as provided in accordance with the fire code, RCO 31 and the Zoning Ordinance and Land Development Manual. Emergency vehicle access roadways shall be serviceable prior to and during building construction.
3. All street, directional and fire lane signs must be in place prior to occupancy of any buildings.
4. All buildings are required to display the proper street address number on the building front, which is plainly visible and legible from the street fronting the property. Number size must be a minimum 4" high on contrasting background when located on the building and 3" high if located on a rural mail box at the public road fronting the property. Reflective numbers are recommended.

c: Donn Richardson, RPU, Water Division  
Charlyne Burks – 683 West Lockwood Avenue – Webster Groves, MO 63119  
Yaggy Colby Associates – 717 Third Avenue SE – Rochester, MN 55904



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**MINUTES OF THE  
CITY OF ROCHESTER PLANNING COMMISSION  
2122 CAMPUS DRIVE SE – SUITE 100  
ROCHESTER MN 55904**

Minutes of the regularly scheduled meeting of the City Planning and Zoning Commission held on Wednesday, March 12, 2003, at 7:00 p.m. in the Council/Board Chambers of the Government Center, 151 4th Street SE, Rochester, MN.

**Members Present:** Ms. Lisa Wiesner, Chair; Mr. Michael Quinn, Vice Chair; Ms. Mary Petersson; Ms. Leslie Rivas; Mr. John Hodgson; Mr. Robert Haeussinger; Mr. James Burke; and Mr. Randy Staver

**Members Absent:** Mr. Paul Ohly

**Staff Present:** Ms. Mitzi A. Baker; Mr. John Harford; Mr. Philip H. Wheeler; and Ms. Jennifer Garness

**Other City Staff Present:** None

**ADMINISTRATIVE BUSINESS:**

**Mr. Haeussinger made a motion to approve the minutes of February 26, 2003, as written. Mr. Staver seconded the motion. The minutes from February 26, 2003 were approved unanimously.**

Ms. Baker asked that Zoning District Amendment #03-06 and General Development Plan #203 be heard together; Land Use Plan #03-03, Zoning District Amendment #03-07 and General Development Plan #204 be heard together; Preliminary Plat #03-07 and General Development Plan #160 be heard together; and Zoning District Amendment #03-08 and General Development Plan #205 be heard together. Action on all items must be taken separately.

Ms. Petersson asked that Zoning District Amendment #03-08 and General Development Plan #205 be the first public hearing items heard, since the annexation would be heard at the beginning of the meeting.

Ms. Baker asked that the following be discussed under "Other Business":

1. Initiate Text Amendment for Fees
2. Planning Commission Budget
3. Notification Changes for Annexations

**Ms. Petersson made a motion to approve the agenda, as revised above.  
Mr. Hodgson seconded the motion. The motion carried unanimously.**

**ANNEXATIONS:**

**Annexation Petition #03-06 by Charlyne Burks to annex approximately 25.61 acres of land located north of East Circle Drive and east of Northwood Hills 2<sup>nd</sup> Subdivision. The property is located in a part of the East ½ of the NW ¼ of Section 19 of Haverhill Township.**

\*

**Ms. Petersson moved to recommend approval of Annexation Petition #03-06 by Charlyne Burks as recommended by staff. Mr. Haeussinger seconded the motion.**

Mr. Staver discussed whether or not annexations shouldn't receive more scrutiny from the Planning Commission. He discussed whether or not they should be approved if police and fire cannot serve the areas in question.

**The motion carried 7-1, with Mr. Staver voting nay.**

Annexation Petition #03-07 by Merl Groteboer to annex approximately 59.99 acres of land located along the north side of 40<sup>th</sup> Street SW and along the west side of 18<sup>th</sup> Avenue SW. The property is located in a part of the South ½ of the SW ¼ of Section 22 of Rochester Township.

Mr. Staver stated that he would not vote in favor of the annexation, since he believes they need to support efforts to manage growth. He indicated that he was not discussing a moratorium.

Ms. Wiesner asked if the process of annexation or general development plan concerned Mr. Staver.

Mr. Staver responded that the annexation was the first step in terms of infrastructure.

Mr. Haeussinger stated that the capacity of fire protection and police staffing needed to be taken into consideration with regard to growth as well as city services.

**Mr. Haeussinger moved to recommend approval of Annexation Petition #03-07 by Merl Groteboer as recommended by staff. Mr. Quinn seconded the motion. The motion carried 7-1, with Mr. Staver voting nay.**

#### PUBLIC HEARINGS:

Zoning District Amendment #03-08 by Arcon Development Inc. to zone approximately 18.62 acres R-2 (Low Density Residential) and 6.73 acres B-5 (Residential Commercial) upon annexation to the City of Rochester. An Annexation petition and General Development Plan are being considered concurrent with this petition.

**AND**

General Development Plan #205 by Arcon Development, Inc. to be known as Hart Farms South. The Applicant is proposing to develop approximately 80 acres of land located along the north side of 40<sup>th</sup> Street SW and along the west side of 18<sup>th</sup> Avenue SW with single family homes, townhomes and neighborhood commercial uses. The property is proposed to be served by public roads. An Annexation petition for the entire property, and a Zoning District Amendment for a portion of this property are being considered concurrent with this petition.

Ms. Mitzi A. Baker presented the staff reports, dated March 6, 2003 and March 7, 2003, to the Commission. The staff reports are on file at the Rochester-Olmsted Planning Department.